



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/738,309	12/18/2000	Sehjoon Dokko	P-156	2257

34610 7590 12/06/2004

FLESHNER & KIM, LLP
P.O. BOX 221200
CHANTILLY, VA 20153

EXAMINER

IQBAL, KHAWAR

ART UNIT PAPER NUMBER

2686

DATE MAILED: 12/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action	Application No. 09/738,309	Applicant(s) DOKKO, SEHJOON	
	Examiner Khawar Iqbal	Art Unit 2686	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 20 September 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☒ Applicant's reply has overcome the following rejection(s): Claim 1-4,6-10,14, have overcome Basu et al.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____


Claim(s) objected to: _____

Claim(s) rejected: 1-4,6-25.

Claim(s) withdrawn from consideration: _____

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
10. ☐ Other: _____

Continuation of 5. does NOT place the application in condition for allowance because: Applicant's arguments filed 9-20-04 have been fully considered but they are not persuasive. The examiner has thoroughly reviewed applications argument but firmly believes the cited references reasonably and properly meets the claim limitation. Applicant argument was that "the weight value of each connected data call" as recited in claims 11 and 18. In response to applicant' arguments, examiner would like to point out that Basu et al teaches A multimedia segmentation unit segments outgoing communications for transmission according to allocated bandwidth. A multimedia communication assembly unit reconstructs incoming segmented multimedia communications according to the allocated bandwidth. The system manager may then allocate or deallocate system resources to adjust the available bandwidth in the communication system based upon the information provided (grade of service) (col. 7, lines 5-10). The system of the present invention allows for modification o bandwidths depending upon the particular transmission requirements for each of the wireless mobile units. In this fashion, the systems achieve a minimum transmission rate for multimedia communications within the system (col. 9, lines 45-55). System determines that a bandwidth surplus event for the mobile terminal has occurred. Bandwidth surplus events may occur at such times as buffer contents have been below a threshold for a period of time or when no multimedia communications have occurred between a base station and a particular mobile unit for a period of time. When such bandwidth surplus event for the mobile terminal has been determined, wherein a segment of multimedia bandwidth is deallocated from the particular mobile terminal. Such deallocation of segments may include a smallest sized segment of a larger sized segment depending upon what had been previously allocated and what triggered the bandwidth surplus event for the mobile terminal (col. 14, lines 25-53).


RAFAEL PÉREZ-GUTIERREZ
PATENT EXAMINER
12/2/04